

## **The Honorable Barbara J. Rothstein**

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

WILLIAM T. WHITMAN, individually and on) NO. 3:19-cv-06025-BJR  
behalf of all others similarly situated, )

Plaintiff,

vs.

**STATE FARM LIFE INSURANCE COMPANY, RESPONSE TO STATE FARM'S**

Defendant.

**DECLARATION OF MATTHEW W.  
LYTLE IN SUPPORT OF PLAINTIFF'S  
RESPONSE TO STATE FARM'S  
MOTION FOR LEAVE TO FILE  
DOCUMENTS UNDER SEAL**

I, Matthew W. Lytle, hereby submit the following Declaration:

1. I am an attorney licensed to practice law and in good standing in the states of Missouri and Nebraska (inactive) and have been admitted *pro hac vice* to appear and participate in this case. I am a partner at the law firm Miller Schirger LLC, counsel of record for Plaintiff in this matter. I make this declaration of my own personal knowledge. If called to testify, I could and would competently testify to the following:

2. On March 26, 2021, I participated in a telephone conference with Tejas Patel and David Wohlstadter, counsel for State Farm, pursuant to State Farm's request to confer regarding

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DECLARATION OF MATTHEW W. LYTLE IN SUPPORT OF  
PLAINTIFF'S RESPONSE TO STATE FARM'S MOTION FOR  
LEAVE TO FILE DOCUMENTS UNDER SEAL

- NO. 3:19-CV-06025-BJR - 1

**TOUSLEY BRAIN STEPHENS PLLC**  
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1 the filing of documents that Plaintiff had designated confidential under the Protective Order.  
 2 However, during the telephone call State Farm's counsel could not or would not identify which  
 3 documents it intended to file under seal, except Mr. Wohlstadter disclosed some of the substance  
 4 of the Declaration of Monica Flory. Nonetheless, on the call, Plaintiff's counsel explained that  
 5 much of the material that was designated confidential by Plaintiff merely sought to protect discrete  
 6 pieces of sensitive personal information, such as Plaintiff's email or home address. Further,  
 7 Plaintiff's counsel suggested that we could be available to further confer on March 29, 2021, when  
 8 State Farm would presumably know which materials it intended to file. But State Farm never  
 9 reached out after the March 26, 2021 phone conference.

10       3. Attached hereto as Exhibit 1 is a true and correct copy of the deposition transcript  
 11 of William T. Whitman, with redactions for those portions that have been designated as  
 12 confidential by Plaintiff. Specifically, Plaintiff has redacted those portions that contain private  
 13 information, including dates of birth (Tr. at 13:5-6), personally identifiable information regarding  
 14 Plaintiff's children and parents (Tr. at 47:6-15, 52:12-17), sensitive health information regarding  
 15 Plaintiff and his family (Tr. at 51:4-14, 51:19-22, 194:25-195:8, 221:21-25), and financial  
 16 information (Tr. at 52:22-53:3, 56:20-57:6, 72:19-73:5, 246:9-15, 247:18-248:8, 249:8-17).

17       4. Attached hereto as Exhibit 3 is a true and correct copy of Deposition Exhibit 11 to  
 18 the deposition of William T. Whitman, a compilation of Annual Notices, with redactions to  
 19 Plaintiff's home address.

20       5. Attached hereto as Exhibit 6 is a true and correct copy of Deposition Exhibit 15 to  
 21 the deposition of William T. Whitman, an email communication with Plaintiff, with redactions to  
 22 Plaintiff's personal email address.

23       6. Attached hereto as Exhibit 7 is a true and correct copy of Deposition Exhibit 28 to

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- NO. 3:19-CV-06025-BJR - 2

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1 the deposition of William T. Whitman, an email communication with Plaintiff, with redactions to  
2 Plaintiff's personal email address.

3 7. Attached hereto as Exhibit 8 is a true and correct copy of Deposition Exhibit 18 to  
4 the deposition of William T. Whitman, an email communication with Plaintiff, with redactions to  
5 Plaintiff's personal email address.

6 8. Attached hereto as Exhibit 9 is a true and correct copy of Deposition Exhibit 29 to  
7 the deposition of William T. Whitman, an email communication with Plaintiff, with redactions to  
8 Plaintiff's personal email address.

9 9. Attached hereto as Exhibit 10 is a true and correct copy of Deposition Exhibit 30  
10 to the deposition of William T. Whitman, an email communication with Plaintiff, with redactions  
11 to Plaintiff's personal email address and phone number. This document was designated  
12 confidential by Plaintiff, yet State Farm improperly filed it on the public docket as Document 108-  
13 10 in this matter.

14 I declare under the penalty of perjury under the laws of the United States that the foregoing  
15 is true and correct.

16 Executed this 19th day of April 2021 in Kansas City, Missouri.

17  
18 /s/ Matthew W. Lytle  
19 Matthew W. Lytle  
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- NO. 3:19-CV-06025-BJR - 3

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